

§ 1152.37 Financial status reports.

Within 30 days after the end of each quarter of the subsidy year, each carrier which is party to a financial assistance agreement shall submit to the subsidizer a Financial Status Report for each line operated under subsidy. Such Financial Status Report shall be in the form prescribed below. Significant deviations from the negotiated estimates must be explained. Unless the parties agree otherwise, the last Financial Status Report issued within the first ten months of the subsidy period will be the basis for negotiating the financial assistance agreement for the subsequent subsidy year. The year-end report will be the basis of the subsidy payment adjustment. All data shall be developed in accordance with the methodology set forth in §§1152.31 through 1152.35. In the quarterly reports, the actual data for the year to date and a projection to the end of the subsidy year shall be shown for each item.

	Actual	Projected
Revenues for		
1. Freight originated and/or terminated on branch.		
2. Bridge traffic.		
3. All other revenue and income.		
4. Total revenues (lines 1 through 3).		
Avoidable costs for		
5. On-branch costs (lines 5a through 5j).		
a. Maintenance of way and structures.		
b. Maintenance of equipment.		
c. Transportation.		
d. General administrative.		
e. Deadheading, taxi, and hotel.		
f. Overhead movement.		
g. Freight car costs.		
h. Return on investment—locomotives.		
i. Revenue taxes.		
j. Property taxes.		
6. Off-branch costs.		
7. Total avoidable costs (line 5 plus line 6).		
Subsidization costs for		
8. Rehabilitation.		
9. Administrative costs.		
10. Casualty.		
11. Total subsidization costs (lines 8 through 10).		
Return on value		
12. Valuation of property (lines 12a through 12c).		
a. Working capital.		
b. Income tax consequences.		

	Actual	Projected
c. Net liquidation value.		
13. Rate of return.		
14. Total return on value (line 12 times line 13).		
Subsidy payment		
15. Subsidy payment (line 4 minus lines 7, 11, and 14).		

[43 FR 7624, Feb. 24, 1978. Redesignated at 47 FR 49581, Nov. 1, 1982, and amended at 54 FR 18519, May 1, 1989]

Subpart E—Abandonment Procedures for Bankrupt Railroads

§ 1152.40 Filing and service requirements.

(a) The application for abandonment shall be filed with the Commission at the same time the proposal to abandon is presented to the Bankruptcy Court.

(b) An original and 10 copies of the application, typewritten or printed on paper approximately 8½ inches by 11 inches with 1½ inch left margin shall be filed with the Secretary of the Interstate Commerce Commission, Washington, DC 20423. The original shall bear the date and signature of the officer or other person authorized to file the application, and shall be complete in itself. The signature may be stamped or typed and the notarial seal may be omitted on the copies. A check or money order payable to the Interstate Commerce Commission must also be submitted to cover the applicable filing fee.

(c) Service. Concurrent with the filing of an application with the Commission, a copy of the application shall be served on all parties entitled to receive notice under § 1152.20.

[44 FR 73106, Dec. 17, 1979. Redesignated at 47 FR 49581, Nov. 1, 1982, and amended at 53 FR 19302, May 27, 1988]

§ 1152.41 Contents of the application.

Applications filed by bankrupt railroads concerning the abandonment of railroad lines or the discontinuance of rail service shall contain the following information and each paragraphs (a) through (i) of this section shall be attested to by a person having personal knowledge of the matters contained therein: